

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

UNITED STATES,	:	
	:	
v.	:	CASE NO.: 7:21-cr-7 (WLS)
	:	
BARRY KIYA DAISE.,	:	
	:	
Defendant.	:	
_____	:	

ORDER

On May 25, 2023, the Court continued the sentencing hearing that was scheduled to be held in this matter to further consider the implication of Defendant's Unobjected to Exhibit, the Declaration of Professor Neil K. Garg, (Doc. 132-1) which expounded upon the different types of stereoisomers of cocaine. (Doc. 138.) The Court continued the sentencing hearing because Defendant's Objection to being afforded a Career Offender Enhancement – on the basis that the State of Georgia's definition of cocaine was overbroad – relied heavily upon Professor Garg's scientific declarations.

The Court in conducting its own research encountered a similar case, *Chamu v. United States AG*, 23 F.4th 1325 (11th Cir. 2022.) The Parties are hereby **ORDERED** to submit, if they wish to, briefs **within twenty-one (21) days of the entry of this Order** about how *Chamu* might apply to the Defendant's objection in the instant case.

SO ORDERED, this 28th day of June 2023

/s/ W. Louis Sands

**W. LOUIS SANDS, SR. JUDGE
UNITED STATES DISTRICT COURT**